



Rebuild Iowa Task Force Records Retention Meeting Summary

July 30, 2008 — 1:30 pm to 6:00 pm
West Des Moines Learning Resource Center
Community Room, Front Half
3550 George Mills Civic Parkway, West Des Moines, Iowa

Task Force Members Present:

Karris Golden, Task Force Chair, Waterloo
Melissa Bird, Keokuk County Recorder, Sigourney
Carmine Boal, Iowa General Assembly, Ankeny
Nancy Boettger, Iowa General Assembly, Harlan
Michael Dargan, Waterloo Public Library, Waterloo
John Goerdt, Iowa Judicial System, Des Moines
Bernardo Granwehr, Iowa State Auditor's Office, Des Moines
Gordon Hendrickson, State Historical Society of Iowa, Clive
Wally Horn, Iowa General Assembly, Cedar Rapids
Marian Karr, City of Iowa City, Iowa City
Nancy Kraft, University of Iowa Libraries, Iowa City
David McCartney, University of Iowa Libraries, Iowa City
Helen Miller, Iowa General Assembly, Fort Dodge
Cyndi Pederson, Iowa Department of Cultural Affairs, Des Moines
Diane Rauh, City of Des Moines, Des Moines
Hilary Seo, Iowa State University – Parks Library, Ames
Tom Shepherd, Department of Administrative Services, Des Moines
Lorna Truck, Library Consultant, West Des Moines
Mary Wegner, State Library of Iowa, Des Moines
Tanya Zanish-Belcher, Iowa State University – Parks Library, Ames

Resource Group Members Present:

Vicki Walch, Council of State Archivists, Iowa City

Presenters:

Jim Woodard, Federal Emergency Management Agency (FEMA)
Dennis Harper, Iowa Homeland Security and Emergency Management Division (HSEMD)
Kevin Wynne, Small Business Administration (SBA)
Note: Other presenters are part of the Task Force or Resource Group

Observers:

Noreen Bush, Iowa House Republican Caucus, Des Moines
Jennifer Jacobs, Des Moines Register, Des Moines
Carolann Jensen, Senate Republican Staff, Des Moines
Richard Nelson, Legislative Services Agency, Des Moines
Jenifer Parsons, Iowa House Democratic Caucus, Des Moines

Julie Simon, Iowa Senate Democratic Caucus, Des Moines
Douglas Wulf, Legislative Services Agency, Des Moines

Staff Present:

Aaron Todd, Department of Cultural Affairs, RIO Task Force Manager
Ben Banowetz, SPPG
Brooke Findley, SPPG
Michelle Rich, SPPG

Welcome and Introductions

Chair of the Cultural Heritage and Records Retention Task Force Karris Golden convened the Task Force and noted that the focus in the morning would be solely on Cultural Heritage and the afternoon will focus on records retention. Golden reminded the group that the recommendations are due to the Rebuild Iowa Advisory Commission by August 18 in the form of a comprehensive report and the Commission will, in turn, present its recommendations to the Governor in the form of a 45-Day Report.

Charge to the Task Force and Overview of the Day

Golden thanked the group for their willingness to help and made mention of those that had less than 24 hours notice of needing to attend. Golden reiterated charge of the Task Force and noted that her role is to listen and learn and communicate needs of the group to the larger Commission body and to advocate for the group.

Golden informed the group that they were one of nine Task Forces that are taking place over the next several weeks. Golden noted that there would be informative presentations early and then a facilitated discussion would be held later to develop preliminary recommendations. Golden then turned the floor over to Brooke Findley of State Public Policy Group for an overview of the agenda and planning for the day's discussion.

Findley thanked the group for attending and commented that broad input is essential to developing the report to the Governor. Findley stated that the first part of the meeting would include presentations to provide basic information that will serve as a foundation for a facilitated discussion later in the day to prioritize issues and to make preliminary recommendations. The focus of the day would be about what the State of Iowa can do in both the short and long term while some issues may need further exploration. Findley turned the floor back to Golden to introduce the presenters and the format for questions.

Presentation of Information

Overview of Incident and Damage Assessment – Gordon Hendrickson, State of Iowa Historical Society of Iowa and State Archivist, Department of Cultural Affairs

Hendrickson commented that the impact of flooding and disasters on state resources is hard to get a handle on. Eighty-three counties out of 99 have been declared disaster areas. The Department of Cultural Affairs drew on the 1993 flood, Page County Courthouse fire, and 2006 Iowa City tornado experiences to provide the best assistance possible to local officials. Gordon stated that there are no state-level mandates regarding records retention at the local level. Iowa

and Arkansas are the only two states that do not have state authority over local records. Iowa has voluntary reporting.

Gordon explained the effort to duplicate some records of genealogical importance and noted that many county records are stored in basements. A number of courthouses had damage in their basements which led to damage to their records. The Department of Cultural Affairs (DCA) and the American Institute for Preservation had conservators on the ground providing immediate technical assistance. Freezing is the appropriate first step to take. The DCA can only go when their assistance is requested.

The DCA does not have damage estimates on the damage to records statewide and does not have the authority to mandate reporting of information. The DCA relies on voluntary reporting.

There is a short window of opportunity to save records, with the first 48 hours being critical to the ability to save damaged documents.

The State Archives are planned not to be destroyed for the next 500 years. State archives are housed at the State Historical Building and in another facility in Iowa City. The State Historical Building was not damaged though staff worked 24 hours per day in case of loss of power. Power loss, a water pipe breaking, or an internal threat is a greater threat than flooding. Preparations for disaster are as important as the disaster response itself. Plans need to be in place to implement immediately.

There are 345 public libraries in Iowa, 80 higher educational libraries, 390 school districts, and various other institutions. All hold records.

Topics of Concern: Local Government Records – Marian Karr, City Clerk, Iowa City

Records retention falls into these categories: State code requirements, internal city knowledge, and quick response to public information requests. With the flooding, residents are searching records more often than before. There is a responsibility to have these records for the public that need the information

Each city and county has a legal duty to preserve information in pending litigation. Hendrickson reiterated that standards from the state would help clarify how long records should be kept and also to have legislative clarification of what “city records” are versus city council language.

Group members stated that they were lucky to have four requests for information in a month while some have four a week. The range of duties for clerks across the state varies depending on the size and resources of the community.

A concern of the group was the increased difficulty in finding reader printers and the cost of them when they are available. There was a discussion about Microfilm as the preferred method for longevity, though some saw a need to look to other methods.

Group members expressed hesitation to opening up the Code to change language and the tradeoffs. All agreed that unfunded mandates are not a desirable course.

Topics of Concern: Libraries and Archives – Tanya Zanish-Belcher, Iowa State University, Parks Library, Ames and Mary Wegner, State Librarian, Des Moines

Wegner outlined the status of libraries and the lack of structure to assist local libraries statewide. She noted that, like records retention, there is no structure to provide assistance to local libraries and there is also a lack of coordination of groups. There are many archival groups in the state, but there is no communication structure for statewide assistance. Some of the groups include:

- Consortium of Iowa Archivists
- Iowa-ACRL Chapter
- Iowa Conservation and Preservation Consortium (ICPC)
- Iowa Historic Preservation Alliance
- Iowa Historical Records Advisory Board (IHRAB)
- Iowa Library Association
- Iowa Museums Association
- Regents' Institutions
- Special Libraries Association-Iowa Chapter
- Technical Assistance Advisory Network (SHSI)

There is a lack of overall coordination of grant writing and grant writing technical assistance among libraries and nonprofits. Many of the grants that nonprofits will write for and potentially receive are too small to cover the level of damage. There is a need to provide technical assistance for people who are not used to writing grants.

The group indicated it is important to have an assessment to identify and prioritize the damage.

There are multiple format needs for records retention including books, archival material, ephemera, CD, and electronic formats.

The group felt it was important to develop communication structures and disaster planning on a statewide level, including collecting and distributing information on available resources, and the mobilization of available resources at the immediate need.

Zanish-Belcher indicated that libraries have suffered significant damage to buildings and collections. There are also issues about covering temporary facilities and operating costs for libraries. Prior to the flooding, the Cedar Rapids library had 300,000 materials checked-out on any given day. During the flood about 32,000 were checked. There are also issues related to the art and music libraries in Iowa City along the river. Zanish-Belcher indicated that the damage was a significant blow to the community and some of the businesses may not return.

Public Assistance – Dennis Harper, Iowa Homeland Security and Emergency Management, Des Moines

Harper shifted the discussion to partnerships in grant management and noted that many partners are city clerks. The public assistance program is a program designed to aid private nonprofits and local and city governments to recover from disasters. This disaster event period continues from its beginning on May 25. Counties may be added as the situation unfolds and could include all 99 counties declared.

Public assistance is a partnership between HSEMD and FEMA. FEMA provides technical assistance staff who will eventually move on to another event. All of the funds go through the state, and eventually the program turns over to the state. The federal funds require a 25% non-federal match. 15% of the non-federal match will be met by local entities. The current estimate

of eligible damages in the state is \$798 million. Along with the Hazard Mitigation program, eligible damages may reach over \$1 billion. This is six to seven times larger than 1993.

When working with facilities, insurance benefits always take precedence over federal programs. One of the risk factors considered is the penalty for not having flood insurance if located in a floodplain. \$500,000 on facilities and \$500,000 contents are taken off the top of any program benefits even before specific eligible damages are looked at.

The 404 Hazard Mitigation Program is the voluntary acquisition of buildings in a floodplain. The program provided through communities and run at the local level. Long-term planning looks at a number of issues, and could include a mixture of flood protection and rebuilding in the floodplain.

Harper indicated that between 2,000 to 4,000 buildings could be removed from the floodplain.

FEMA Public Assistance – Charles Chaffins

The FEMA representative noted that FEMA is available to support lowans in the recovery process and focused on Individual Assistance. The incident period remains open to start claims with FEMA. Chaffins encouraged those affected to visit Disaster Recovery Centers set up in certain regions to meet with state and federal staff that can connect them with resources.

Housing assistance is offered as either temporary housing assistance and/or direct housing assistance (mobile homes or park models). When individuals register with FEMA, they will also receive a SBA loan application packet which was also recommended to be completed by individuals, regardless of whether or not they are looking for a loan. Discarding the application can hurt individuals' chances of receiving support.

The total number of registrations is over 34,000 to date and total funds approved are \$114 million to date. Employment assistance is available through the state, though the Disaster Employment Assistance program runs out August 12 and the Individual assistance cut-off is August 29. The housing hotline number is 866-274-4392.

SBA Assistance – Kevin Wynne

The SBA assistance program offers home loans and business loans. Cut-off for filing is September 12. Economic injury disaster loans are provided to entities that do not suffer physical damage, but are in need of operational assistance. Repayment ability is a main consideration. The SBA also offers relocation and refinance assistance. The Economic Injury program loans up to \$2 million.

Best Practices – Gordon Hendrickson, State of Iowa Historical Society of Iowa and State Archivist, Department of Cultural Affairs and Vicki Walch Council of State Archivists, Iowa City

Hendrickson indicated that, unfortunately, records that are not saved in the first 48 hours are often past the point of full recovery. The key to effective disaster preparedness is an effective records management program. Hendrickson commented that there is a need to have plans in place to be able to respond to a disaster. There were resources available to provide guidance in 2003 to create the updated Municipal Records Manual. Each city is independent and responsible for creating its plan.

Hendrickson indicated large communities have the resources within a city clerk office to plan. There may be a need to offer training and technical assistance to small communities so they can create a plan.

Hendrickson noted that the Records Management System does not set schedules for the lifetimes of documents. Hendrickson commented that he would like to see a schedule and a means to communicate a schedule statewide. In a disaster, all records need to be saved. A good records management system will assist in that. There is a need for money, support, trainers, preparedness and records training for public and nonprofit records professionals.

A grant has been secured in the past to train county officials though, with no mandate there is no way to update the training. Hendrickson commented that records are essential to ensure continuity of government – birth, marriage, and death, among others.

Hendrickson indicated that it would be ideal to be able to freeze and freeze-dry documents. He sees a need to prioritize documents and collections and to also look at the duplication of records and where they are stored.

Walch discussed the Intergovernmental Preparedness for Essential Records (IPER). Hurricane Katrina and its effect on COSA was the impetus to identify and create the IPER to take to members of Congress and Iowa General Assembly for advocacy.

Relationships are important during an incident and meeting with an emergency manager before an emergency is important to explain the complexities of records management. Availability of resources is important for an emergency response. Walch commented that state archivists have known for years that local governments are underfunded and under-recognized in their responsibility for records management. Thirty-two states have state-level training projects for local governments. The group commented that, in terms of authority, Iowa is one of two states with very little authority or resources in regards to records management. Walch commented that some states have document filing fees to fund records management. Iowa currently charges a one-dollar filing fee that funds local recorders.

The group suggested that an emergency response framework for cultural institutions is being created by the Institute for Library and Museum Services and should be completed next year.

Discussion shifted to the Preserving American Historic Records Act (PAHR) in Congress. The group indicated this funding would go to local governments and could be used to help with emergency planning.

There was discussion related to individual preparedness and the records people need when evacuating during a disaster. The group also indicated a need to identify which records to have available after a disaster. Hendrickson stated that there are resources available online or through our institutions to guide people. The issue is getting the information out.

Q: So in the Iowa Code, there is no mandate as to records you must keep or how you should keep them?

A: No. That is the short answer.

Q: So local entities are able to make that determination themselves?

A: Yes. What I know is that codes only tell which items to keep permanently, which to keep for 10 years and the rest keep for a certain amount of time. But that is about the only guidelines that exist.

The group indicated that administrative rules may be a best practice to use when looking at rules to consider. HIPAA security rules state that hospitals and clinics must have access to all medical records in a disaster. The group felt that hospitals may be a best practice to consider.

Issue Identification

Findley started the discussion to identify issues in records retention by asking about local control. Group members noted that guidance is nice, but unfunded mandates are not appreciated. Some suggested that electronic storage can often be more expensive than paper, and that there are administrative costs associated with records management.

The group asked if the bigger question was whether or not local entities will want to sustain local autonomy. Some see inconsistent systems among the three Regents Institutions. Others stated that there is a retention manual that is used as a guideline that has been modified through the years.

Issues that were identified include:

- Electronic records guidelines.
- Updated state guidelines as manual.
- Recognition of conflicts in state code – continuity of state code. Think this is an opportunity to look at how we do things and update that process.
- Funds for local clerks to undertake efforts.
- Technical assistance needed in operating areas.
- Training opportunities associated with IPER (electronic).
- Communication.
- Advocacy .
- Incentives for local improvements of records retention.

The group felt that the \$1 charge did not amount to much when in a small county, and there needs to be an adequate distribution of funds from the \$1 per record charge.

The group felt that there is a need for immediate and long-term technical assistance in addition to on-the-ground emergency response teams that can move records effectively and help. The group would like to see inter-state movement of expertise and intra-state support, as well.

Immediate recovery needs:

- Data collection on volume and type of records damaged currently.
- Extent of damage and format also need to be considered.
- Electronic records will need to be recovered.
- Freeze dried records will require cleaning.

Areas still in danger of disasters:

- Process for storing back-ups.
- Centralized storage mechanism housed with state – all formats.

- Electronic must be in two locations.

Communication between institutions:

- Coordination for grant funding.
 - Technical assistance.
 - Coordination of applications.
- Preserving the American Historic Records Act.
 - Advocacy for legislation passage

The group felt that records are a civil rights issue and should be a higher priority than it has historically been. Members of the group noted that the State Auditor's Office and ITE is exploring electronic records. The group liked the idea of an electronic 48-hour mandate due to a cost reduction in electronic memory and electronic storage. The group indicated that they would like to see essential records preserved electronically over the next decade.

The group noted that it is important to know when and what to destroy when dealing with electronic records. Using paper records guidelines in an electronic records world is important, including the use of back-ups and duplicates. The group felt that CD storage would not survive 500 years.

The University of Wisconsin recently adopted a statewide electronic systems mandate for their Regents Institutions that the group felt may be a model to explore.

Findley shifted the discussion to physical storage. The group noted that more information is required to be stored, and rental space for safe storage is increasingly expensive. Members of the group felt that the recent emergencies have created a teachable moment to disseminate information to people and institutions about preserving their records. The group felt it was important to create public service announcements and other forms of communication to stress the importance of record retention and preservation. Local libraries, local community access channels, the Red Cross, and ISU extension were identified as possible outlets for information.

There was discussion around the creation of preservation workshops statewide that would include local records officials and focus on disaster preparedness training. The group felt it was important to have a continuing timeline of the trainings and could even be part of a summit sponsored by the Governor's office focusing on emergency preparedness. The group felt that records need to be put in the state emergency response plan as state asset in addition to being included in county response plans.

The group felt there was an immediate need for temporary space for libraries. Members of the group indicated that the Cedar Rapids Public Library needs to be open for their constituents and a plan for continuity of operations is vital for future emergencies.

Members of the group felt that liability issues related to disaster scenes was a issue to focus on. The ability to release people to aid institutions to go into disaster zones is needed during a crisis for record preservation.

An emergency pool of funds readily available for records management emergency response grants was also brought up by the group as a potential recommendation.

Findley moved the discussion to long-term issues. The group indicated that the state has three paper conservation labs that they would like to see ramped-up to use as a resource during a

disaster. The group would also like to see a list of resources that is disseminated and documented for future disasters so organizations know where to go in a time of need.

The group felt that the creation of a communication plan to explore creative networks to disseminate information through analog means would be something to explore.

Members felt the State may have some role in helping to bring back businesses affected by the disasters.

Group members felt that additional staff resources through the Department of Cultural Affairs for administration and recovery would likely be needed in the next few years to help with current and future disasters.

The group discussed ways to keep cultural workers that are currently not working due to the floods. Discussion ranged from an employment network to short-term work agreements with other cultural attractions.

Recommendations

Short-term

- Emergency Preparedness Summit
 - Training could be included
- Push federal legislation: Preserving the American Historical Record Act
 - Legislative resolution in Iowa in support of the Act
- Secure resources for continuity of operations of libraries and other cultural institutions
 - Transitional facility and storage space for collections and institutions
 - Staffing needs – employee sharing (through IWD)
 - State emergency grant or other mechanism - Funding for conservation labs, ensuring for long-term preservation of records, documents and other collections – goes into mid-term to long-term recovery
- Emergency response
 - Formation of crisis response teams similar to the EMAC to focus at the local level
 - HSPD-12
 - Credentialing, liability, expert-sharing
 - § Priorities: 24-hour phone number
 - § Mission assignments
 - § Liability
 - § Chain of command and public information
 - § CERT exploration – Integration into EMS
 - Employee displacement and sharing through Iowa Workforce Development
- Develop electronic management standards
- Legislative clarification on records definitions
- Moving State records location out of floodplain
- Training and Education
 - Local governments on records
 - Records, collections on emergency preparedness
 - Trainer within State Archives for training on best practices
- Utilizing the eGrant system to coordinate grant efforts
- Communicate the importance of vital records to the state

- Public Service announcements
- Local libraries
- Local cable access channel

Mid-term

- Implement electronic management facilities regionally
- Centralized storage facilities for regional entities – all formats

Long-term

- Regional archivists on the ground for technical assistance and support
 - Build on AEA, community colleges, or other regions to expand archives or records management
 - Including central FTE to support regions in State Archive

Process for Completing 45-Day Report

Findley explained that notes would be available to the Task Force within the next week. Then Task Force staff will work to complete the 45-Day report to the Advisory Commission by August 18. This will also be shared with the Task Force for comment.

Closing Comments and Adjourn

Golden stated that resources can be linked online on the RIO website and asked that any resources be sent to Aaron Todd. Golden also commented that the Generation Iowa Commission may be able to help fund a marketing campaign though, that would be an economic development decision.

Golden thanked everyone for their attention and reiterated that everyone was working very hard to synthesize all this information and get it into a report. Staff will work to have the notes back to the group quickly and there would be two business days to provide any feedback on broad issues.

Golden thanked the presenters and members of the resource group for sharing information with the Task Force. She indicated that Commissioner Dardis told the Advisory Commission recently that he wrote his last check from 1993 not too long ago. The recovery will be a long-term process. Golden indicated that the positive perspectives and momentum generated during the meeting was appreciated.

Golden asked the Task Force if there was consensus on all issues identified and recommendations made. There was agreement on consensus approval.

Golden made a motion that a second meeting be planned for September to focus specifically on long-term issues. All were in favor of a second meeting and Golden indicated she would send out a confirmation later in August for a meeting dedicated to long-term planning.